

FORM 32. Response to Notice to Advise of Scheduling Conflicts

Form 32
March 2023

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

RESPONSE TO NOTICE TO ADVISE OF SCHEDULING CONFLICTS

Case Number: 2023-1556

Short Case Caption: Team Systems International, LLC v. Secretary of the Dep't of Homeland Security

Party Name(s): Secretary of the Department of Homeland Security

INFORMATION: The court uses this form to determine whether and when to schedule cases for oral argument. Arguing counsel may be changed later, but a motion to reschedule is required once the court schedules argument. Please plan in advance to adhere to the limit on the number of arguing counsel in Fed. Cir. R. 34(e).

Argument Waiver My party intends to waive oral argument.

NOTE: Filers checking this box must still complete the below sections. **The court may still schedule this case for oral argument even if any party intends to waive argument.** If scheduled, parties may still elect to waive argument using the response to notice of oral argument form.

Other Parties Representing Interests

Counsel for another party will represent my party's interests at oral argument

NOTE: If this box is checked, skip the remaining sections. Any argument date will be selected based on conflict dates for counsel arguing on behalf of your party.

Name of Expected Arguing Counsel	Steven Michael Mager
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Dates Unavailable

Do you have dates of unavailability within the specific sessions identified by the court's Notice to Advise of Scheduling Conflicts in your case?

Yes No

If yes, attach a separate sheet listing **up to ten dates** of unavailability and **include a statement showing good cause for each date**. Dates without good cause or that do not pertain to arguing counsel (e.g., client conflicts) will not be accepted. The court will only accept dates for one counsel and only if that counsel has filed an entry of appearance. The Clerk's Office will evaluate and note accepted or rejected conflict dates; counsel may contact the Clerk's Office about re-filing if dates are rejected. See Fed. Cir. R. 34(d); Practice Notes to Rule 34.

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Potential Case Conflicts

Are there other pending cases before this court (regardless of case status) in which expected arguing counsel in this case also expects to argue?

Yes No

If yes, attach a separate sheet listing those cases.

I certify the above information and any attached statement is complete and accurate. I further certify that I will update my notice should new conflicts arise or existing conflicts change.

Date: 10/19/2023

Signature: /s/ Steven Michael Mager

Name: Steven Michael Mager

IN THE UNITED COURT OF APPEALS FOR THE FEDERAL CIRCUIT

TEAM SYSTEMS INTERNATIONAL,)
LLC,)
)
Appellant,)
)
v.) 2023-1556
)
)
SECRETARY OF THE DEPARTMENT)
OF HOMELAND SECURITY,)
)
Appellee.)

STATEMENT OF GOOD CAUSE FOR SCHEDULING CONFLICTS

Arguing counsel of record for respondent-appellee in the above-captioned appeal will be unavailable for oral argument from April 1 through 2, 2023 due to previously scheduled travel.

Otherwise, we note that arguing counsel of record currently has the following other cases pending before this Court (regardless of case status) in which he also expects to argue:

O'Banion v. McDonough, Docket No. 2023-2069

Herrington v. McDonough, Docket No. 2023-2358

Neither of the above cases have been scheduled for oral argument.

For these reasons, good cause exists for our request to avoid holding argument from April 1 through 2, 2023, and we respectfully request that oral

argument not be scheduled from April 1 through 2, 2023. Otherwise, we remain available at the Court's convenience.

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

PATRICIA M. McCARTHY
Director

/s/ Martin F. Hockey, Jr.
MARTIN F. HOCKEY, JR.
Deputy Director

/s/ Steven M. Mager
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October 19, 2023

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